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Attorney for Debtors
JAVIER and CARINA HINOJOSA

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In Re:

JAVIER HINOJOSA and
CARINA HINOJOSA,

Debtors.

CASE NO. 10-64121
CHAPTER 13

DCN-TOG-1

DATE: February 1, 2011

TIME: 9:00 a.m.

PLACE: U.S. Bankruptcy Court
2500 Tulare St., 5th Fl., Rm.#11
Fresno, CA 93721

MOTION TO VALUE COLLATERAL-
(NOTE AND SECOND MORTGAGE HELD BY HSBC)

Debtors, Javier and Carina Hinojosa, by and through Thomas O. Gillis, their attorney of record, move the Court to value the collateral securing Debtor's indebtedness to HSBC, to wit, debtors' second deed of trust on the real property located at 11177 Mesquite Circle, Armona, California 93202. This motion is based on the following:

1 1. **The Debtor values the collateral at \$90,000** (see Declaration of Debtor
2 filed herein).

3 2. **First Mortgage: CitiMortgage** holds a note on said property secured by a
4 valid Deed of Trust. The balance of the note is approximately **\$119,600**.

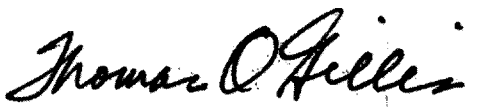
5 3. **Second Mortgage: HSBC** has recorded a Deed of Trust securing a note for
6 approximately **\$29,600**. Said Deed of Trust was recorded after the Deed of Trust referred
7 to supra.

8 4. The holder of the senior Deed of Trust referred to in #2 is owed an amount
9 exceeding the value of the property by **\$29,600**, leaving no equity to secure the second
10 Deed of Trust referred to in #3 supra.

11 Wherefore, **debtors pray** that the Court **determine the debt of HSBC** to be
12 **wholly unsecured**, and classify the holder of that debt as a general unsecured creditor.

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14 Based on the foregoing, Debtors respectfully request that this motion be granted.
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20 Dated: December 28, 2010

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22 THOMAS O. GILLIS
23 ATTORNEY AT LAW
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